IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 4TH MAY 2007 / 14TH VAISAKHA 1929

Bail Appl..No. 2638 of 2007()

CRMP.1412/2007 of D.C. & SESSIONS COURT,KOLLAM
(CRIME NO.251/2007 OF KUNDARA POLICE STATION

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PETITIONERS/ ACCUSED

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1. SAJINLAL, S/O.RADHAMANI,
LAL BHAVANAM,CHERUMOOD CHERRY,
VELLIMON P.O.,KUNDARA,KOLLAM.

2. GIRIJA, W/O.VIKRAMAN PILLAI,
KIZHAKKEKUNNATHU VEEDU,
KOVIL MUKKU,PERUMPUZHA,
PUNUKKANNOOR CHERRY,ELAMPALLOOR,
THADATHIL VEEDU,VELLIMON CHERRY,
PERRINADU VILLAGE,KOLLAM.

3. RUGMINI AMMA, D/O.GOURI AMMA,
KIZHAKKEKUNNATHU VEEDU,
PUNUKKANNOOR CHERRY,ELAMPALLOOR VILLAGE,
KOLLAM TALUK.

BY ADV. SRI.B.MOHANLAL

RESPONDENT: COMPLAINANT

STATE OF KERALA REPRESENTED BY
THE SUB INSPECTOR OF POLICE, KUNDARA POLICE
STATION, KUNDARA P.O.,KOLLAM DISTRICT THROUGH
THE PUBLIC PROSECUTOR,HIGH COURT OF KERALA,
ERNAKULAM .

BY PUBLIC PROSECUTOR SRI.P.RAVINDRA BABU

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P.Balachandran, J.

B.A.No. 2638 of 2007

ORDER

This is an application for anticipatory bail filed under Section 438 Cr.P.C.

2. The first petitioner was a neighbour of the second petitioner and the second petitioner is the daughter of the third petitioner. Annexure VI order of the Sessions Judge shows that he has perused the records and that petitioners 2 and 3 are not arraigned as accused in the case and the accused are the first petitioner and his mother Radhamani. Radhamani is not a petitioner.

3. The allegation against the first petitioner is one of cheating and the case was being registered on a complaint filed by the de facto complainant before the Judicial First Class Magistrate's Court-I, Kollam, which was forwarded for investigation and report under Section 156(3) Cr.P.C. Considering the nature of the allegations

against the first petitioner, he is not entitled to anticipatory bail at this early stage of the investigation and petitioners 2 and 3, not being accused in the case, their apprehension that they would be arrested is also unfounded.

In the result, I dismiss this application for anticipatory bail.

4th May, 2007 (K.P.Balachandran, Judge)

tkv